

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, ET AL.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action File No.
)	1:17-CV-02989-AT
)	
BRAD RAFFENSPERGER, ET AL.,)	
)	
Defendants.)	

**CONSENT MOTION TO LIFT STAY OF FOX NEWS NETWORK’S
MOTION TO INTERVENE FOR LIMITED PURPOSE AND
MEMORANDUM IN SUPPORT THEREOF**

COMES NOW Fox News Network, LLC (“FNN”) and hereby files this Consent Motion to Lift Stay of FNN’s Motion to Intervene for Limited Purpose and requests that this Court (a) lift its order staying FNN’s motion to intervene and (b) grant FNN’s request to obtain a redacted and unredacted copy of Dr. J. Alex Halderman’s report. FNN is authorized to state that U.S. Dominion, Inc. (“Dominion”) consents to the relief requested in this motion and does not object to FNN having access to both redacted and unredacted versions of Dr. Halderman’s report that Dominion has in its possession for purposes of FNN preparing its defense to Dominion’s claims in *U.S. Dominion, Inc. et al. v. Fox News Network, LLC*, civil action no. N21C-03-257-EMD, pending in the Delaware Superior Court (the

“Delaware Action”).

In support of this motion, FNN shows the Court as follows:

On January 12, 2022, FNN filed a motion to intervene for the limited purpose of obtaining Dr. Halderman’s expert report [Doc. 1251] as relevant to the issues in the Delaware Action. Dominion opposed FNN’s motion [Doc. 1285]. FNN then moved the Court to allow oral argument on the motion [Doc. 1303].

On February 11, 2022, this Court entered an order [Doc. 1316] staying FNN’s motion to intervene and motion for oral argument. The purpose of the stay was to allow time for the United States Cybersecurity Infrastructure Agency (CISA) to review the Halderman report.

On May 6, 2022, FNN and Dominion jointly submitted in the Delaware Action a Stipulation and [Proposed] Order Regarding Production of Expert Report of Dr. J. Alex Halderman (the “Stipulation and Order”). The Special Master in the Delaware Action entered the Stipulation and Order on May 6, 2022. A true and correct copy of the Stipulation and Order entered in the Delaware Action is attached hereto as Exhibit A. The Stipulation and Order provides, among other things, that Dominion has obtained redacted and unredacted copies of the expert report of Dr. Halderman filed in the above-captioned matter; that Dominion will withdraw its opposition to FNN’s Motion to Intervene for Limited Purpose in this action; and that

Dominion does not otherwise object to FNN obtaining redacted and unredacted copies of the expert report. *See generally* Exhibit A.

As reflected in the Stipulation and Order, FNN agrees to treat Dr. Halderman's report as Highly Confidential – Attorneys' Eyes Only under the protective order in the Delaware Action and to further protect the Halderman report by following this Court's requirements as to treatment of Dr. Halderman's report.

The Delaware Action is in active discovery with upcoming deadlines, including a document production deadline of July 31, 2022, and fact discovery cutoff of September 27, 2022. Immediate lifting of the stay, therefore, is warranted to allow FNN to examine Dr. Halderman's report and efficiently manage its discovery process.

On May 19, 2022, the U.S. Cybersecurity and Infrastructure Security Agency (CISA) submitted a status report to this Court stating that it anticipates publicly disclosing an advisory on June 3, 2022, related to issues raised in the Halderman report. [Doc. 1381].

With Dominion having withdrawn its opposition to FNN's motion to intervene and CISA's review of the Halderman report being imminently complete, FNN respectfully requests it be allowed access to redacted and unredacted copies of the Halderman report.

CONCLUSION

Based on the forgoing, FNN requests that this Court lift its order staying FNN's motion to intervene and grant FNN's request to obtain from Dominion a redacted and unredacted copy of Dr. Halderman's report.

Respectfully submitted this 20th day of May, 2022.

/s/ Charles E. Peeler

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CERTIFICATE OF COMPLIANCE

The undersigned hereby certifies that the foregoing document has been prepared in accordance with the font type and margin requirements of Local Rule 5.1 of the Northern District of Georgia, using a font type of Times New Roman and a point-size of 14.

/s/ Charles E. Peeler

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CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2022 I electronically filed the forgoing *Consent Motion to Lift Stay of Fox News Network's Motion to Intervene for Limited Purpose* with the CM/ECF system which will automatically send email notification of such filing to the attorneys of record.

/s/ Charles E. Peeler

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